

Appendix  
(A. A.)  
5th May.

found to be inadequate to the objects contemplated at the time of the passing thereof, Petitioners pray that by an amendment of the said Act, or by a new and brief enactment, it may be provided, that the money to be borrowed may be raised by Bonds; that it may be authorized to make such Bonds payable to bearer, so that the payment thereof may be enforced by the holder for the time being of the said Bonds; that it be provided the said Loan may be raised in any part of Great Britain, and be made payable in British Sterling money in London or any other place therein; and that the interest and principal of the said Loan, when payable, be declared a preferential charge on the City Revenues over any debts thereafter to be created.

That by the 17th Section of the Act 8 Vic. cap. 59, it was required that Elections of Councillors and Assessors should be held on the first day of March last past, in the several Wards of the said City, nine in number, which said Wards are therein enumerated; that by the 21st Section of the said Act, it is enacted that all such Elections be had by and before either Aldermen or Councillors of the said City; that on the said first day of March last past, there remained and were in office only eight Aldermen and Councillors of the said City; and it was consequently impracticable to hold Elections in all the said several Wards of the City; that by reason thereof no Election for a Councillor and Assessor was held on the said first day of March last past, in the East Ward of the said City. Your Petitioners therefore pray that provision be made by a Legislative enactment, for holding, without delay, an Election for a Councillor and two Assessors in the said Ward, that the said Ward may be duly and fully represented in the said City Council, and that the Assessments thereof for the present year may not be lost to the City Revenue.

That by the 19th Section of the Act 39 Geo. 3, cap. 5, it is provided that the Assessment to be levied in the said City of Montreal shall be made from the 10th day of May to the 10th day of June in each year; and by the 39th Section of the said Act 8 Vic. cap. 59, it is enacted, that all and every the powers, authority and duties which in and by the said Act (the 39 Geo. 3, cap. 5.) were vested in and imposed on the Assessors, shall continue to be and shall be and remain vested in and imposed on the Assessors who may be appointed under and by virtue of the said Act 8 Vic. cap. 59: That hence it necessarily follows the Assessment in the said City of Montreal, now, as in the year of our Lord, 1799, is required to be made from the 10th day of May to the 10th day of June in each year: That it would be advisable to extend the said time for a period of ten days, say till the 20th day of June in each year, provided however that the said Assessors shall be and continue in office for one year from the date of their election, and that at any time during that period subsequently to the said 20th day of June, it may be lawful for any two of them, upon good and sufficient information obtained, to add to the Assessment books returned by them, the names of any persons liable to Assessment accidentally omitted therein, or who may have come to reside in the Ward in which they have been appointed Assessors, since the period of their said Return; and also that it may be lawful for the said Assessors at any time to correct any accidental or obvious errors in the said Books of Assessment, whereby the amount of assessment therein charged may have been underrated or set down at too low a sum; but that inasmuch as the right of appeal is by law allowed to the parties assessed, if aggrieved, the said Assessors be not allowed in any case after the Returns made by them, to reduce or diminish the amounts charged in their said Books of Assessment.

That by the said 17th Section of the said Act 8 Vic. cap. 59, it is enacted, that annually, on the first Monday in the month of March, two Assessors shall be elected for each of the Wards of the said City of Montreal, and, by the 19th Section of the same Act, it is further enacted that a third Assessor for each Ward shall be elected by the Council of the said City; and by the 39th Section of the said Act, it is provided that all duties that may be performed by the said three Assessors, may be performed by any two of them, and although by the 52nd Section of the said Act, it is provided that the Council may impose, by By-law, a penalty not exceeding £100, on any, or as many of the said Assessors, as shall refuse or wilfully neglect to attend to or perform his or their duties, yet it hath been omitted to authorize the Council to nominate and appoint another or other Assessors in lieu and place of any one or more of the said Assessors so wilfully neglecting to attend to or perform his or their duty or duties: That in the absence of any Assessor or Assessors neglecting or refusing to perform his or their duties, much confusion may ensue, and great loss be suffered by the City Revenues. Your Petitioners therefore respectfully pray, that in the event of any Assessor or Assessors neglecting or refusing to perform the duties which he or they may be bound by law to attend to and fulfil, the Council of the said City may be authorized, at any Quarterly or Special Meeting thereof, to nominate and appoint another or other Assessors in lieu and place of the Assessor or Assessors so as aforesaid neglecting to perform his or their duties as aforesaid.

That in the 18th Section of the said Act 8 Vic. cap. 59, the words "first day of March," have been by accident erroneously used and employed for the words "first Monday in March," elsewhere used and employed in the said Act, to indicate the period when the annual Election of Councillors and Assessors should take place in the several Wards of the said City; and whereas inconvenience may result from the said accidental error, Your Petitioners pray that the said last mentioned Section may be amended by the substitution therein, of the words "first Monday in March," for the words "first day of March," in the two instances in which alone the same occur in the said 18th Section of the said Act.

That although by the 29th Section of the said Act 8 Vic. cap. 59, provision is made for the election of a Mayor, in the event of a vacancy occurring in the said office; yet, as it has been pretended that no special authority is given by the said Act to the Mayor to resign his office, should he from ill health or other cause deem it expedient so to do, Your Petitioners pray it may be expressly enacted, that the Mayor of the said City shall at any time during his term of office have a right to resign; and that it may be lawful for the Council of the said City, upon such resignation, to appoint another Mayor in his lieu and place.

The Order of the Day to appoint a Bailiff and Crier of the Mayor's Court was read, and the consideration thereof ordered to be postponed till the next Meeting of Council.

On motion of Alderman Lunn, seconded by Councillor Footner,

The Council adjourned.

(Signed,) J. FERRIER,  
Mayor.

J. P. SEXTON,  
City Clerk.

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